

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Currently Amended) In a seating system for a vehicle having a seat bottom and a seat back interconnected in a pivoting manner so that the seat back is configured for movement between a generally upright seating position and a generally horizontal stowed position, the improvement comprising:

a positioning system configured to move the seat back between the seating position and the stowed position and configured for actuation by a user from a rear portion of the vehicle, the positioning system including a first actuator configured to permit movement of the seat back between the stowed position and the seating position, wherein the first actuator comprises a handle member disposed proximate an upper corner of the seat back, and a second actuator coupled to the first actuator with an elongated connection member and configured to actuate the first actuator to permit movement of the seat back, wherein the second actuator comprises a handle device disposed proximate a lower corner of the seat back; and

a rotary retraction device having a torsion spring including a cord configured to return the handle device to a stowed position.

2. (Cancel)

3. (Cancel)

4. (Cancel)

5. (Withdrawn) The seating system of Claim 4 wherein the second actuator further comprises a pushbutton disposed proximate a lower corner of the seat back.

6. (Previously Presented) The seating system of Claim 1 further comprising a spring member coacting with the seat back and configured to bias the seat back to the seating position when the release mechanism is in the released position.

7. (Previously Presented) The seating system of Claim 1 wherein the handle member is configured for pivotal movement.

8. (Cancel)

9. (Previously Presented) The seating system of Claim 1 wherein the handle device is coupled to a flexible member configured to engage the first actuator.

10. (Withdrawn) The seating system of Claim 8 wherein the handle device is coupled to a rigid extension member configured to engage the release mechanism.

11. (Cancel)

12. (Currently Amended) A positioning system for moving a seat back in a vehicle between a seating position and a cargo storage position, comprising:

a release mechanism actuatable between a first position to permit movement of the seat back and a second position to prevent movement of the seat back;

a first actuator disposed on the seat back proximate an upper corner of the seat back;

a second actuator disposed on the seat back proximate a lower corner of the seat back and coupled to the first actuator with an elongated connection member, wherein the second actuator is returned from a use position to a stowed position by a rotary spring mechanism having a torsion spring including a cord; and

so that the seat back can be moved from the cargo storage position to the seating position by a person actuating the first actuator from a location alongside the vehicle and by a person actuating the second actuator from a location behind the vehicle.

13. (Original) The positioning system of Claim 12 wherein the first actuator is a pivotally actuated handle member.

14. (Withdrawn) The positioning system of Claim 12 wherein the second actuator is a touch-activated device.

15. (Original) The positioning system of Claim 13 wherein the second actuator comprises a substantially flexible member coupled to a gripping member and an upper portion of the seat back.

16. (Withdrawn) The positioning system of Claim 13 wherein the second actuator comprises a substantially rigid extension member coupled to a gripping member and an upper portion of the seat back.

17. (Original) The positioning system of Claim 12 wherein the first actuator and the second actuator are at least partially recessed within a rear surface of the seat back.

18. (Original) The positioning system of Claim 12 wherein the seat back comprises two seat back sections.

19. (Original) The positioning system of Claim 12 further comprising a spring member configured to bias the seat back toward the seating position.

20. (Original) The positioning system of Claim 12 wherein the first actuator and the second actuator are positioned on the seat back adjacent a side of the vehicle.

21. (Cancel)

22. (Currently Amended) A system for moving a seat back in a vehicle between a cargo storage position and a seating position, comprising a first actuator disposed proximate an upper corner of the seat back and a second actuator disposed proximate a lower corner of the seat back and coupled to the first actuator by an elongated connection member, wherein the first actuator is configured to be actuated by a user from a side of the vehicle and the second actuator is configured to be actuated by a user from a rear of the vehicle, wherein at least one of the first actuator and the second actuator are provided in a recess of a back panel of the seat back and are extendable from the recess and retractable to the recess by a rotary torsion spring device having a retractable cord, so that the seat back may be moved from the cargo storage position to the seating position by a user located at either the side or the rear of the vehicle.

23. (Original) The system of Claim 22 wherein the first actuator is a pivotally actuated handle member.

24. (Withdrawn) The system of Claim 22 wherein the second actuator is a push button.

25. (Original) The system of Claim 22 wherein the second actuator comprises an extension member coupled to a gripping member and an upper portion of the seat back.

26. (Withdrawn) The system of Claim 25 wherein the extension member is a substantially rigid member.

27. (Original) The system of Claim 25 wherein the extension member is a substantially flexible member.

28. (Original) The system of Claim 22 wherein the first actuator and the second actuator are at least partially recessed within a rear surface of the seat back.

29. (Original) The system of Claim 22 wherein the first actuator and the second actuator are positioned on the seat back adjacent a side portion of the vehicle.

30. (Cancel)

### **REMARKS**

Applicants respectfully request reconsideration of the present application in view of the amendments made herein and the following remarks.

This Amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier. After entering the amendments set forth herein, Claims 1, 5-7, 9, 10, 12-20, and 22-29 (23 claims) are pending in the application. The status of claims of this application is that Claims 2, 3, 4, 8, 11, 21 and 30 were previously cancelled, Claims 1, 12 and 22 are currently being amended, and Claims 5, 10, 14, 16, 24 and 26 are withdrawn.

On October 15, 2007, patent attorney Wilke and Examiner Hawk conducted a telephone conference concerning proposed claim amendments. It is the understanding of the undersigned that no agreement regarding any claim language or amendments was reached.

### **Claim Rejections – 35 U.S.C. §102**

#### **Independent Claim 1**

On page 2, paragraph 3 of the Office Action, the Examiner rejected claims 1, 7 and 9 under 35 U.S.C. §102(b) as being anticipated by Benoit, et al (USPN: 6,007,153).

The Examiner asserted that Benoit discloses a seating system for a vehicle that “further comprises a rotary retraction device (spring 21 acts to bias the handle device and the rotary manner) configured to return the handle device to a stowed position”.

Claim 1 is in independent format and recites “a seating system for a vehicle” comprising at least, “a second actuator coupled to the first actuator with an elongated connection member” and “a rotary retraction device having a torsion spring including a cord configured to return the handle device to a stowed position.” Claims 6, 7 and 9 depend from independent claim 1, as amended. See 35 U.S.C. §112, fourth paragraph.